

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL DARRELL RED EAGLE, SR.,

Defendant.

CR-15-44-GF-BMM-02

**ORDER ADOPTING MAGISTRATE
JUDGE’S FINDINGS AND
RECOMMENDATIONS TO REVOKE
DEFENDANT’S PRETRIAL RELEASE**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on October 1, 2015. (Doc. 44.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1986). This Court will review Judge Johnston’s Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on October 1, 2015. (Doc. 43.) Red Eagle admitted to violating the conditions of his pretrial release by using methamphetamine. (*Id.*) Judge Johnston found the evidence sufficient to establish that Red Eagle violated the conditions of his pretrial release. (*Id.*)

Judge Johnston recommends this Court revoke Red Eagle's pretrial release and that the Court sentence Red Eagle to remain in custody pending trial. (Doc. 44.)

This Court finds no clear error in Judge Johnston's Findings and Recommendations. Red Eagle's current violation is serious in nature. He is ordered to remain in custody pending trial.

IT IS HEREBY ORDERED that Judge Johnston's Findings and Recommendations (Doc. 44) is ADOPTED IN FULL. **IT IS FURTHER ORDERED** that Defendant PAUL DARRELL RED EAGLE, SR., shall remain in custody pending trial.

DATED this 19th day of October, 2015.



Brian Morris
United States District Court Judge